

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re
MCCLINTOCK,
Plaintiff.

Case No. [20-cv-09357-EMC](#)

ORDER OF DISMISSAL

John McClintock sent to the court a letter expressing his dissatisfaction with conditions at Mule Creek State Prison. In an effort to protect his rights, a new action was opened and the letter was filed on December 28, 2020. On that date, Mr. McClintock was informed that he had not filed a complaint, and was notified that he had 28 days to do so or the action would be dismissed. Docket No. 2. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed *in forma pauperis*, and was notified that he had 28 days to either pay the fee or file the application or the action would be dismissed. Docket No. 3. Plaintiff did not file a complaint or file an *in forma pauperis* application or pay the fee. This action therefore is **DISMISSED** without prejudice for failure to file a pleading showing the court has subject matter jurisdiction. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: February 22, 2021


EDWARD M. CHEN
United States District Judge